

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2005-052640

08/23/2011

JUDGE PRO TEM STEPHEN KUPISZEWSKI
FOR HONORABLE BRIAN R. HAUSER

CLERK OF THE COURT
D. Kenney
Deputy

IN RE THE MATTER OF
FENISE LATOYA BEE NICHOLSON

FENISE LATOYA BEE NICHOLSON
500 N PARK VISTA ST #215
ANAHEIM CA 92806

AND

ALBERT LEE TERRY JR.

ALBERT LEE TERRY JR.
8809 S POINTE PKWY #1027
PHOENIX AZ 85044

JANET R EVANS

MINUTE ENTRY

Courtroom 109 NE RCC

2:39 p.m. This is the time set for Evidentiary Hearing re: Temporary Orders and Respondent's Petition for Immediate Return of the Minor Child. Petitioner is present on her own behalf. Respondent is present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Fenise Latoya Bee Nicholson, Albert Lee Terry and Krishonda Marley are sworn.

Respondent's Exhibits 1 and 2 and Petitioner's Exhibits 3 through 5 are marked for identification.

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Albert Lee Terry testifies.

Fenise Latoya Bee Nicholson testifies.

Krishonda Marley testifies.

Fenise Latoya Bee resumes the stand and testifies further.

Closing arguments are heard.

Respondent's Exhibits 1 and 2 and Petitioner's Exhibits 3 through 5 are received in evidence.

The Court has considered the testimony and evidence presented and now rules.

THE COURT FINDS that Mother relocated to California without agreement from Father and failed to notify Father 60 days in advance or petition the Court for her request to relocate with the child, which is in violation of A.R.S. §25-408; therefore,

IT IS ORDERED granting Respondent's Petition for Temporary Orders for Contempt of Court and Order for Immediate Return of the Minor Child.

IT IS FURTHER ORDERED directing Mother to immediately return the minor child to the state of Arizona, and the minor child shall reside in the state of Arizona pending further order of the Court.

The Court notes that Mother never filed a Motion to Relocate or a Petition to Modify Custody, Parenting Time and Child Support; therefore, no further hearings will be set at this time.

IT IS FURTHER ORDERED affirming the Court's prior orders with regard to custody and parenting time.

3:44 p.m. Matter concludes.

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LATER:

IT IS ORDERED directing Respondent to immediately return to the courtroom clerk, Exhibits 3 through 5 that he had in his possession when he left the courtroom.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/S/ JUDGE PRO TEM STEPHEN KUPISZEWSKI

JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.